

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Amendment to the Commission's) IB Docket No. 95-41
Regulatory Policies Governing)
Domestic Fixed Satellites and)
Separate International Satellite)
Systems)

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To: The Commission

REPLY COMMENTS
OF
PETROLEUM COMMUNICATIONS, INC.

Petroleum Communications, Inc. ("Petrocom"), through its undersigned counsel and pursuant to Section 1.415 of the Rules and Regulations of the Federal Communications Commission ("FCC" or "Commission"), 47 C.F.R. § 1.415, hereby submits these Reply Comments in response to the Comments submitted in connection with the Commission's Notice of Proposed Rulemaking ("NPRM") issued in the above-captioned proceeding.^{1/}

I. Statement of Interest

1. Petrocom operates a cellular telephone system in the Gulf of Mexico. This system, which covers some 60,000 square miles, is used by oil, gas, marine, and

^{1/} Notice of Proposed Rule Making, 60 Fed. Reg. 24,817 (May 10, 1995).

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transportation entities to communicate with the United States ("U.S.") mainland. For many people working in the Gulf of Mexico, such as individuals operating off-shore petroleum drilling rigs, Petrocom's cellular system is their only link to their families and the rest of the world. Moreover, reliable communications to and from the platforms are critically important given the inherent dangers of working with petroleum drilling. As part of its communications network, Petrocom relies on several different forms of wireless communications. For example, Petrocom uses C-band earth station facilities to connect its cellular base station equipment with its cellular switching equipment in New Orleans. Consequently, Petrocom has a keen interest in the outcome of the instant proceeding.

II. Discussion

A. Petrocom Supports Additional Flexibility in Earth Station Licensing and Commends the Proposals to Expand the "ALSAT" Designation and to Treat Foreign-Based Satellites as U.S. Domsats.

2. Petrocom acknowledges the wide-spread support among the commenters for the Commission's proposal to eliminate the licensing distinctions between domestic and international earth stations using U.S.-licensed space segments and to expand the "ALSAT" designation to include

all such satellites.^{2/} Petrocom agrees that the adoption of this proposal to streamline the earth station licensing procedures will greatly reduce the number of license modification applications filed by earth station licensees and, thereby, will reduce an unnecessary administrative burden on the Commission.^{3/}

3. Additionally, Petrocom notes that this new licensing scheme will further the FCC's procompetitive policies by eliminating the delays and uncertainties associated with obtaining separate international uplink authority, while subsequently allowing station operators a broader choice of satellites with which to communicate.^{4/} Further, by allowing end users to choose an earth station which will access a satellite based on operational efficiency, rather than on which earth station is authorized to access a particular satellite, the new earth station

^{2/} See, generally, Comments of Capital Cities/ABC, et al. ("Capital Cities"), Christian Broadcasting Network ("CBN"), Charter Communications International, Inc. ("Charter"), ICG Wireless Services, Inc. ("ICG"), WorldCom, Inc. ("WorldCom"), Hughes Communications Galaxy, Inc. ("Hughes"), and W.L. Pritchard & Co. ("W.L. Pritchard").

^{3/} Capital Cities Comments at p. 14 and Hughes Comments at p. 20.

^{4/} Hughes Comments at p. 20, CBN Comments at p. 3, and W.L. Pritchard Comments at p. 4.

licensing policy will encourage greater efficiency of satellite use.

4. Petrocom has noticed that several parties in their Comments suggest the extension of the "ALSAT" designation to include non-U.S. licensed satellites.^{5/} Petrocom strongly supports this proposal and agrees that such a forward-looking policy would promote the procompetitive goals of the Commission by opening the global information infrastructure to allow earth station licensees to access both U.S.-licensed and non-U.S. licenses satellites.^{6/} Such developments would thereby ensure parity and full competition among all satellite operators.^{7/} Additionally, this policy would help ensure that essential satellite capacity remains available in the U.S.^{8/}

5. Petrocom particularly supports the proposals set forth by ICG and Charter regarding the treatment of the Mexican domestic satellite, Solidaridad. Charter argues that Solidaridad should be treated in the same fashion as

^{5/} See, generally, Comments of Charter, ICG, General Communications, Inc. ("GCI"), WorldCom and CBN.

^{6/} CBN Comments at p. 3.

^{7/} GCI Comments at p. 6.

^{8/} GCI Comments at p. 6.

U.S. domestic satellites ("Domsats") with respect to the elimination of the Buckley Letter criteria. See Charter Comments at p. 7. Moreover, both commenters believe earth station licensees should be permitted to expand their portfolio of satellite connections to include Solidaridad without the need for superfluous regulatory filings.^{9/}

6. Petrocom strongly concurs with Charter's conclusion that allowing U.S. carriers unfettered access for service to all Latin American countries that can be served by Solidaridad will favorably increase competition in the satellite services.^{10/} Moreover such a procompetitive situation will improve the quality of services and expand the number of choices available to consumers in the Western Hemisphere.

B. Petrocom Supports the Proposal to Maintain Frequency Coordination with a Minimum of Filing Requirements for C-Band Earth Station Licensees.

7. Petrocom supports the Comments of Westinghouse Broadcasting Company ("Group W") in which Group W proposes to maintain careful frequency coordination with terrestrial users for stations in the 4/6 GHz C-Band through a minimal

^{9/} See Charter Comments at pp. 7-8 and ICG Comments at pp. 3-4.

^{10/} Charter Comments at p. 7.

use of license modification applications.^{11/}

Particularly, Petrocom supports Westinghouse's proposal to allow immediate access to new satellites upon certification or notification to the Commission that appropriate frequency coordination procedures have been successfully completed.^{12/} Such a policy will permit rapid utilization of new satellites without the hinderance of unnecessary and time-consuming license modification applications, while continuing to ensure coordination with terrestrial users in the 4/6 GHz band.

Conclusion

8. Petrocom supports the Commission's proposal in its NPRM to increase the flexibility of earth station licensing. Petrocom particularly commends the proposals of Charter and other commenters to expand the "ALSAT" designation to encompass U.S. and non-U.S. licensed satellites and to treat Solidaridad as a U.S. Domsat with respect to the elimination of the Buckley letter criteria. Such actions would permit unhindered access by U.S. carriers for service to Latin American countries that can be served by Solidaridad.

^{11/} Group W Comments at pp. 5-6.

^{12/} Group W Comments at pp. 5-6.

Finally Petrocom supports Group W's proposal to maintain frequency coordination without requiring the filing of a time-consuming license modification application. Each of these above proposals will further the Commission's procompetitive policies, while lessening its administrative burdens.

WHEREFORE, THE PREMISES CONSIDERED, Petroleum Communications, Inc. urges the Commission to consider these Reply Comments and to proceed in a manner consistent with the views expressed herein.

Respectfully submitted,

PETROLEUM COMMUNICATIONS, INC.

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